

AMENDED IN SENATE JANUARY 4, 2006

AMENDED IN SENATE APRIL 25, 2005

**SENATE BILL**

**No. 956**

**Introduced by Senator Simitian**

February 22, 2005

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~~An act to add Division 20.9 (commencing with Section 30990) to the Public Resources Code, and to add Section 7280.3 to the Revenue and Taxation Code, relating to coastal and ocean resources. An act relating to water.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 956, as amended, Simitian. ~~Coast and Ocean Stewardship Act. San Francisco Bay/Sacramento-San Joaquin Delta.~~

*Existing law requires various state agencies to carry out programs, projects, and activities on behalf of the San Francisco Bay/Sacramento-San Joaquin Delta.*

*This bill would make legislative findings and declarations concerning the bay-delta.*

~~Existing law authorizes the legislative body of a city, county, or a city and county to impose an excise tax for the privilege of occupying a living space in a hotel, inn, tourist home or house, motel, or other lodging space, as provided.~~

~~This bill would enact the Coast and Ocean Stewardship Act of 2005. The bill would levy a surcharge of \$1 per night per room on all charges for transient occupancy in the 20 counties that are located along the coast of the Pacific Ocean and the San Francisco Bay, including all cities within these counties, as well as the City and County of San Francisco.~~

~~The bill would provide that revenue collected from this surcharge shall be deposited in the Coast and Ocean Account Stewardship Tax~~

~~(COAST) Fund, which the bill would establish. The bill would provide that money in the fund would, upon appropriation, be allocated to specified entities to implement programs for coastal and ocean management.~~

~~This bill would result in a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.~~

~~This bill would make legislative findings and declarations regarding the need for special legislation.~~

~~Vote:  $\frac{2}{3}$  majority. Appropriation: no. Fiscal committee: ~~yes~~ no. State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

- 1     SECTION 1. *The Legislature finds and declares all of the*
- 2     *following:*
- 3     (i) *More than 23 million Californians rely on the*
- 4     *Sacramento-San Joaquin Delta for their water supply, including*
- 5     *those in southern California, and many in the north, east, and*
- 6     *south San Francisco Bay area. The State Water Project, the*
- 7     *federal Central Valley Project, and the Contra Costa Water*
- 8     *District all divert from the delta.*
- 9     (ii) *Millions of acres of California farmland rely on the delta*
- 10    *for all or part of their water supply.*
- 11    (iii) *The delta levees have a long history of failure, even during*
- 12    *low flow periods in the summer. Insufficient funds have been*
- 13    *available to enable the levees to withstand even moderate flood*
- 14    *and seismic events.*
- 15    (iv) *The quality of the water delivered by the State Water*
- 16    *Project and the federal Central Valley Project is highly*
- 17    *vulnerable to degradation by seawater, which intrudes into the*
- 18    *delta when delta levees fail.*
- 19    (v) *The ecosystems of the San Francisco Bay and the delta*
- 20    *have been degraded due to a wide variety of reasons that include*
- 21    *pollution, “upstream” and delta water diversions, introduction of*
- 22    *nonnative species, irrigation practices, and ship channel*
- 23    *construction.*

1     (f) *The level of some delta islands has declined to as much as*  
2 *20 feet below sea level due to soil compaction, wind erosion, and*  
3 *oxidation. This greatly increases the chances of island*  
4 *inundation. Some islands, such as Frank's Tract and Mildred*  
5 *Island, have been permanently inundated after levee failure.*

6     (g) *California native fish species have been placed on state*  
7 *and federal threatened species lists due to conditions in the bay*  
8 *and the delta. The delta smelt, a species unique to California, is*  
9 *on the edge of extinction.*

10    (h) *The delta levees are subject to collapse in the event of a*  
11 *severe earthquake or a flood, and this danger is increasing with*  
12 *rising sea levels. The University of California has recently*  
13 *concluded that there is "a 2-in-3 probability that abrupt change*  
14 *will occur in the delta in the next 50 years." That "change"*  
15 *includes abrupt landscape change or multiple levee and island*  
16 *failure.*

17    (i) *Increasing urbanization in the delta has resulted in the*  
18 *conversion of agricultural lands to urban uses. Flood events in*  
19 *urbanized areas can cause much more serious damage than in*  
20 *agricultural areas.*

21    (j) *Delta water quality and native aquatic species in the delta*  
22 *are threatened by newly introduced non-native species. Despite*  
23 *efforts by state and federal agencies, new species continue to be*  
24 *introduced, threatening the delta ecosystem. One introduced*  
25 *algae species has caused serious water quality problems in*  
26 *certain areas outside of the delta, and may do so in the delta.*

27    (k) *Hundreds of millions of dollars have been expended for*  
28 *studies and projects relating to water quality, fish protection, and*  
29 *other matters of concern on behalf of the bay-delta. Although*  
30 *many of these projects have been successful, and have resulted in*  
31 *improvements, these efforts have not solved the many problems*  
32 *of the bay-delta.*

33    (l) *The CALFED Record of Decision (ROD) proposes a host of*  
34 *programs to solve these problems. There is an emerging*  
35 *consensus that the ROD does not address all the elements needed*  
36 *to safeguard the quality of the water supply of those who rely on*  
37 *the delta, and that the implementation of the ROD will not result*  
38 *in recovery of listed species and other species of biological and*  
39 *economic importance.*

1     *(m) It is the intent of the Legislature to develop solutions to*  
2     *these problems facing the bay-delta.*

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**All matter omitted in this version of the bill  
appears in the bill as amended in Senate,  
April 25, 2005 (JR11)**

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